

WILLSON JONES CARTER & BAXLEY, P.A.

ATTORNEYS AT LAW

GREENVILLE CHARLESTON COLUMBIA CHARLOTTE RALEIGH ATLANTA

George T. Miars, Jr.
Direct (843) 284-1091
Fax (843) 284-1081
gtmiars@wjlaw.net

421 Wando Park Boulevard, Suite 100
Mount Pleasant, SC 29464
www.wjclaw.net

September 3, 2013

The Honorable Jenny Abbott Kitchings
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: David Tunstall vs. Rare Earth Sciences, Inc.
Appellant Case No. 2013-001472
WCC File No.: 1107137 DOI: 6/10/2011
Carrier: Liberty Mutual Insurance - Claim No.: WC550-A12787
WJC&B File No.: 0010.03697

Dear Ms. Kitchings:

Please be advised that, prior to the mediation in this matter, the parties have resolved this claim and the appeal issues by settlement, which will be processed through the Workers' Compensation Commission, pursuant to the SC Workers' Compensation Act. Enclosed for filing are 1) the Notice of Settlement, which has been executed by both parties, 2) Notice of Voluntary Dismissal, and 3) Proof of Service. Please do not hesitate to contact me if any additional information is needed from my office.

With kindest regards,

WILLSON JONES CARTER & BAXLEY, P.A.



George T. Miars, Jr.

GTM/mas
Enclosure(s)

cc: Mark D. Ball, Esq.
Virginia Crocker, Judicial Director of WCC
Laurel Hendricks (via e-mail)

RECEIVED
SEP 06 2013
SC COURT OF APPEALS

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
Workers' Compensation Commission

Appellant Case No. 2013-001472

WCC Claim No.: 1107137

David Tunstall, Employee..... Claimant, Respondent,

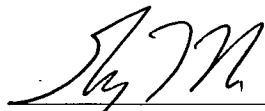
v.

Rare Earth Service, Inc, Employer and Liberty Mutual Insurance, CarrierDefendant/Appellants,

NOTICE OF SETTLEMENT

The parties to this appeal consented to participate in the Pilot Program for the Voluntary Mediation of Workers' Compensation Appeals. Prior to the mediation, the parties have resolved all issues in the appeal. The parties agree to file a notice of voluntary dismissal which complies with Rule 260, SCACR, within thirty days.

September 3, 2013



George T. Miars Jr., Esquire
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, South Carolina 29464
(843) 284-1091
Attorney for Appellants



Mark D. Ball, Esquire
Post Office Box 457
Hampton, South Carolina 29924-0457
(803) 943-2111
Attorney for Respondent

RECEIVED

SEP 06 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
Workers' Compensation Commission

Appellant Case No. 2013-001472

WCC Claim No.: 1107137

David Tunstall, Employee..... Claimant, Respondent,

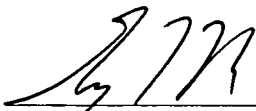
v.

Rare Earth Service, Inc, Employer and Liberty Mutual Insurance, Carrier Defendant/Appellants,

NOTICE OF VOLUNTARY DISMISSAL

The appeal issues have been resolved by the parties, and pursuant to Rule 260, SCACR, Defendants/Appellants are withdrawing their Appeal in this matter, and request an Order by the Court for Voluntary Dismissal and remand back to the SC Workers' Compensation Commission.

September 3, 2013



George T. Miars Jr., Esquire
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, South Carolina 29464
(843) 284-1091
Attorney for Appellants

RECEIVED

SEP 06 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
Workers' Compensation Commission

Appellant Case No. 2013-001472

WCC Claim No.: 1107137

David Tunstall, Employee..... Claimant, Respondent,

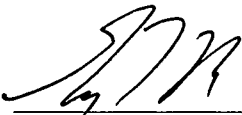
v.

Rare Earth Service, Inc, Employer and Liberty Mutual Insurance, Carrier Defendant/Appellants,

PROOF OF SERVICE

I certify that I have served the Notice of Settlement and Notice of Voluntary Dismissal on David Tunstall by depositing a copy of them in the United States Mail, postage prepaid, on September 3, 2013, addressed to his attorney of record, Mark Ball, Post Office Box 457, Hampton, South Carolina 29924-0457.

September 3, 2013



George T. Miars Jr., Esquire
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, South Carolina 29464
(843) 284-1091
Attorney for Appellants

RECEIVED
SEP 06 2013
SC Court of Appeals